

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

DIETRICK L. JOHNSON, SR., #19831-078      §

VS.      §      CIVIL ACTION NO. 4:18cv646


DIRECTOR, TDCJ-CID      §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation concluding that the petition for a writ of habeas corpus should be dismissed as an unauthorized second or successive petition (Dkt. #4). Petitioner subsequently filed documents (Dkt. ##5,6) discussing the statute of limitations and the actual innocence exception, but the documents are not responsive to the Report. He did not file objections to the Report and Recommendation. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts same as the findings and conclusions of the court. It is therefore

**ORDERED** that the petition for a writ of habeas corpus is **DISMISSED** without prejudice. All motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED this the 14th day of February, 2019.**

  
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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE